

Appl. No. 10/675,230

Attorney Docket No. 81864.0024

Reply to Office Action of December 14, 2005

Customer No.: 26021



In re application of:

Yoshiichi NISHIZAWA, et al.

Serial No: 10/675,230

Confirmation No.: 9857

Filed: September 29, 2003

For: R-T-B System Rare Earth Permanent Magnet

Art Unit: 1742

Examiner: John P. Sheehan

**TERMINAL DISCLAIMER TO OBVIATE A
DOUBLE PATENTING REJECTION (37 C.F.R.
§ 1.321(c))**

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

Mail Stop Amendment
Commissioner for Patents
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Alexandria, VA 22313-1450

April 11, 2006

Date of Deposit

Firoozeh Vakilzadeh

Name

Firoozeh Vakilzadeh 4/11/06

Signature

Date

Dear Sir:

IDENTIFICATION OF PERSON MAKING THIS DISCLAIMER

I, DARIUSH G. ADLI represent that I am

- ☐ an applicant
- ☐ an assignee
- ☒ a representative authorized to sign on behalf of the assignee identified below owning all of the interest in this application.

The assignee is:

Name of assignee

TDK CORPORATION

Address of assignee

1-13-1, Nihonbashi, Chuo-ku,
Tokyo 103-8272 Japan

Title of disclaimant
authorized to sign on behalf
of assignee

Attorney Of Record

Appl. No. 10/675,230
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Recordal of Assignment In Patent Office

- ☒ The assignment was recorded on May 6, 2004 at
Reel No. 015294
Frame No(s). 0051
- ☐ authorization for recordal of the assignment is separately attached

EXTENT OF INTEREST

The extent of my (our) interest is in

- ☒ the whole of this invention
☐ a sectional interest in this invention as follows:

DISCLAIMER

TDK CORPORATION hereby disclaims the terminal part of a patent granted on the above-identified application, which would extend beyond the expiration date of the full statutory term of:

- ☒ United States Patent No. 6,811,620 as presently shortened by any terminal disclaimer

and hereby agree that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to

- ☒ United States Patent No. 6,811,620

this agreement to run with any patent granted on the above-identified application and to be binding upon the grantor, its successors or assigns.

TDK Corporation does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term of

- ☒ United States Patent No. 6,811,620 as presently shortened by any terminal disclaimer

in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(a), has all claims cancelled by a reexamination certificate, or is otherwise terminated prior to expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

FEE STATUS

(37 C.F.R. § 1.20(d))

- ☒ Other than small entity
- ☐ Small entity
 - ☐ verified statement attached
 - ☐ verified statement filed ____

FEE PAYMENT

- ☐ Attached is a check in the sum of \$____.
- ☒ If it should be determined that for any reason either an insufficient fee or an excessive fee has been paid, please charge any insufficiency or credit any overpayment necessary to ensure consideration of the information disclosure statement for the above-identified application to Deposit Account No. 50-1314. A copy of this petition is enclosed.
- ☒ Charge Account No. 50-1314 the sum of \$130. A duplicate of this disclaimer is attached.

Undersigned further declares that the evidentiary documents establishing ownership by the assignee have been reviewed and certifies that to the best of assignee's knowledge and belief, title is in the assignee seeking to take this action.

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Undersigned further declares that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,

HOGAN & HARTSON L.L.P.

Date: April 11, 2006

By:



Dariush G. Adli

Registration No. 51,386

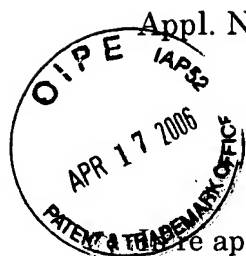
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Appl. No. 10/675,230

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re application of:

Gouichi NISHIZAWA, et al.

Serial No: 10/675,230

Confirmation No.: 9857

Filed: September 29, 2003

For: R-T-B System Rare Earth Permanent
Magnet

Art Unit: 1742

Examiner: John P. Sheehan

STATEMENT CONCERNING COMMON
OWNERSHIP UNDER 35 U.S.C. § 103(C)

Mail Stop Amendment
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Alexandria, VA 22313-1450

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April 11, 2006

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Firoozeh Vakilzadeh

Name

Firoozeh Vakilzadeh 4/11/06

Signature

Date

Dear Sir:

In the Office Action dated December 14, 2005, claims 1-7 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,811,620 (Ishizaka). The present application and Ishizaka (U.S. Patent No. 6,811,620) were, at the time the invention of the present application was made, either owned by, or subject to an obligation of assignment to TDK Corporation.

If there are any fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-1314.

Respectfully submitted,

HOGAN & HARTSON L.L.P.

Date: April 11, 2006

By:

Darius G. Adli
Darius G. Adli

Registration No. 51,386

Attorney for Applicant(s)

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